

2016-2010

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL
CIRCUIT**

KNOWLES ELECTRONICS, LLC,

Appellant,

v.

CIRRUS LOGIC, INC., CIRRUS LOGIC INTERNATIONAL (UK) LTD.,

Appellees.

**Appeal from the United States Patent and Trademark Office,
Patent Trial and Appeal Board, in Nos. 95/000,509, 95/001,251
and 95/001,363.**

**APPELLANT KNOWLES ELECTRONICS, LLC'S UNOPPOSED
MOTION TO EXTEND TIME TO FILE REPLY BRIEF**

Richard L. Rainey
Brian G. Bieluch
Michael S. Sawyer
Cyril Djoukeng
COVINGTON & BURLING LLP
850 Tenth Street, NW
Washington, DC 20001-4956
(202) 662-6000

*Attorneys for Appellant Knowles
Electronics, LLC*

CERTIFICATE OF INTEREST

Counsel for Appellant Knowles Electronics, LLC, certify the following:

1. The full name of every party or amicus represented by me is:

Knowles Electronics, LLC

2. The name of the real party in interest, if the party named in the caption is not the real party in interest, represented by me is:

Knowles Electronics, LLC

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

Knowles Electronics, LLC is a privately held company that is owned, through intermediate entities, by Knowles Corporation, which is a publicly held company traded on the New York Stock Exchange under ticker symbol KN. Franklin Resources, Inc., a publicly held company traded on the New York Stock Exchange under ticker symbol BEN, owns 10% or more of the stock of Knowles Corporation. Janus Capital Management LLC is a privately held company that owns 10% or more of the stock in Knowles Corporation. The 2015 Form 10-K of Janus Capital Group Inc., a publicly held company traded on the New York Stock Exchange under ticker symbol JNS, lists Janus Capital Management LLC as a wholly-owned subsidiary. No other publicly held company owns 10% or more of the stock of Knowles Electronics, LLC or Knowles Corporation.

4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court (and who have not or will not enter an appearance in this case) are:

William Cramer of Conley Rose, PC (formerly of Lathrop & Gage LLP and Dykema Gossett PLLC); Steven McMahon Zeller of Dykema Gossett PLLC, Timothy K. Sendek of Lathrop & Gage LLP (formerly of Dykema Gossett PLLC) and Jonathan Giroux of Greenberg Traurig LLP (formerly of Dykema Gossett PLLC).

Date: February 6, 2017

/s/ Michael S. Sawyer

Richard L. Rainey

Brian G. Bieluch

Michael S. Sawyer

Cyril Djoukeng

COVINGTON & BURLING LLP

850 Tenth Street, NW

Washington, DC 20001-4956

(202) 662-6000

*Attorneys for Appellant Knowles
Electronics, LLC*

Pursuant to Rule 26(b) of the Federal Rules of Appellate Procedure and Federal Circuit Rule 26(b), Appellant Knowles Electronics, LLC (“Knowles”) moves the Court to extend the time for filing its reply brief by thirty days. The present filing deadline for Knowles’s reply brief is February 17, 2017. Adding thirty days and accounting for an intervening weekend, this motion requests an extension to and including Monday, March 20, 2017. Knowles is filing this motion more than seven days before the date sought to be extended, as set out in Federal Circuit Rule 26(b)(1). Knowles previously was granted two extensions, each for twenty-eight days, to file its principal brief. Dkt. Nos. 16, 21. Separately, Knowles previously was granted a seven-day extension for filing its reply brief in support of its Motion to Remand in Light of *Agilent*. Dkt. No. 31.

This request is unopposed. On February 1, 2017, counsel for Appellees Cirrus Logic, Inc. and Cirrus Logic International (UK) Ltd. (together, “Cirrus”) stated that the Appellees do not oppose this request.

As set out in the accompanying declaration, there is good cause for this extension. Knowles requests this extension because counsel for Knowles is presently handling several other pressing matters. For

example, among other deadlines, counsel for Knowles has oral argument in this Court in another case on February 13, 2017, and a brief due in this Court in another case in March 2017. The requested extension of time would allow Knowles's counsel to meet intervening professional responsibilities and refine the issues in this appeal for clear and efficient presentation to the Court.

For the foregoing reasons, Knowles respectfully moves the Court for a thirty-day extension of time to file its reply brief to and including March 20, 2017. Pursuant to Federal Circuit Rule 26(b)(5), the requested extension is accompanied by an executed declaration of counsel showing good cause for the extension.

Dated: February 6, 2017

Respectfully submitted:

/s/ Michael S. Sawyer

Richard Rainey

Brian Bieluch

Michael S. Sawyer

Cyril Djoukeng

COVINGTON & BURLING LLP

850 Tenth Street, NW

Washington, DC 20001-4956

(202) 662-6000

*Attorneys for Appellant Knowles
Electronics, LLC*

2016-2010

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL
CIRCUIT**

KNOWLES ELECTRONICS, LLC,

Appellant,

v.

CIRRUS LOGIC, INC., CIRRUS LOGIC INTERNATIONAL (UK) LTD.,

Appellees.

**Appeal from the United States Patent and Trademark Office,
Patent Trial and Appeal Board, in Nos. 95/000,509, 95/001,251
and 95/001,363.**

**DECLARATION IN SUPPORT OF APPELLANT KNOWLES
ELECTRONICS, LLC'S UNOPPOSED MOTION
TO EXTEND TIME TO FILE REPLY BRIEF**

I, Michael S. Sawyer, hereby declare as follows:

1. I am an attorney duly admitted to practice in California, the District of Columbia and before the United States Court of Appeals for the Federal Circuit.

2. On May 23, 2016, I entered an appearance as counsel on behalf of Knowles Electronics, LLC (“Knowles”) in this appeal.

3. On February 1, 2017, I informed Marc S. Johannes, Richard Guinta, Nathan R. Speed, and Justin C. Colannino, counsel for Cirrus, of Knowles’s intention to seek a thirty-day extension for the time to file its reply brief from February 17, 2017 to March 20, 2017. That same day, counsel for Cirrus informed me that Cirrus does not oppose the extension.

4. Counsel for Knowles requests this extension owing to intervening professional obligations in other cases being litigated by counsel for Knowles. For example, counsel for Knowles has oral argument in this Court in another case on February 13, 2017, and a brief due in this Court in another case in March 2017. Other counsel for Knowles also have intervening briefing and hearing deadlines.

5. I declare under penalty of perjury that the foregoing is true and correct.

Executed: February 6, 2017

Respectfully submitted:

/s/ Michael S. Sawyer

Michael S. Sawyer

COVINGTON & BURLING LLP

850 Tenth Street, NW

Washington, DC 20001-4956

Tel: 202.662.5257

msawyer@cov.com

Certificate of Service

I, Michael S. Sawyer, hereby certify that on the 6th day of February 2017, I will serve the foregoing on counsel of record by electronically filing the foregoing with the Clerk of Court using the CM/ECF system.

/s/ Michael S. Sawyer
Michael S. Sawyer
Covington & Burling LLP
850 Tenth Street, NW
Washington, DC 20001-4956
Tel: 202.662.5257
Fax: 202.778.5257
msawyer@cov.com